

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**BETANET, LLC,**

**Plaintiff,**

**v.**

(1) **ADOBE SYSTEMS, INC.;**  
(2) **APPLE, INC.;**  
(3) **ARIAL SOFTWARE, LLC;**  
(4) **AUTODESK, INC.;**  
(5) **CARBONITE, INC.;**  
(6) **COREL CORP.;**  
(7) **EASTMAN KODAK CO.;**  
(8) **INTERNATIONAL BUSINESS  
MACHINES CORP.;**  
(9) **INTUIT, INC.;**  
(10) **MICROSOFT CORP.;**  
(11) **MCAFFE, INC.;**  
(12) **ONLINE HOLDINGS, LLC;**  
(13) **ORACLE CORP.;**  
(14) **ROCKWELL AUTOMATION, INC.;**  
(15) **ROSETTA STONE, LTD.;**  
(16) **SAP AMERICA, INC.;**  
(17) **SIEMENS CORP.; and**  
(18) **SONY CREATIVE SOFTWARE, INC.,**

**Defendants.**

**CIVIL ACTION No. 2:09-CV-384-DF-CE**

**JURY TRIAL DEMANDED**

**JOINT MOTION TO DISMISS**

WHEREAS, Plaintiff BetaNet, LLC (“BetaNet”) and Defendant Siemens Corp. (“Siemens”) have resolved BetaNet’s claims for relief against Siemens asserted in this case.

NOW, THEREFORE, BetaNet and Siemens, through their attorneys of record, request this Court to dismiss BetaNet’s claims for relief against Siemens with prejudice and with all attorneys’ fees, costs of court and expenses borne by the party incurring same.

Respectfully submitted,



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### **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email and/or fax, on this the 30th day of July, 2010.



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Scott E. Stevens